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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

(SAN FRANCISCO DIVISION)

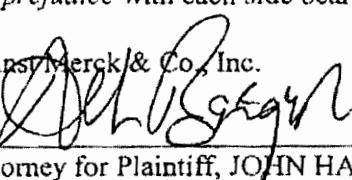
In re: Bextra and Celebrex Marketing Sales *	MDL No. 1699
Practices and Product Liability Litigation *	District Judge: Charles R. Breyer

JOHN HARDEY, HUSBAND *	Case No. 06-2690
OF AND GRETA HARDEY *	
	*
Plaintiff, *	<u>STIPULATION AND ORDER OF</u>
	<u>DISMISSAL WITH PREJUDICE</u>
VS. *	
	*
PFIZER, INC. , et al *	
	*
Defendants. *	

Comes now the Plaintiff, **JOHN HARDEY, HUSBAND OF AND GRETA HARDEY**, by and through the undersigned attorney(s), pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby seeks dismissal of this action *with prejudice* with each side bearing its own attorneys' fees and costs and reserving all rights against Merck & Co., Inc.

Dated: 11/18/09

BY


Attorney for Plaintiff, JOHN HARDEY

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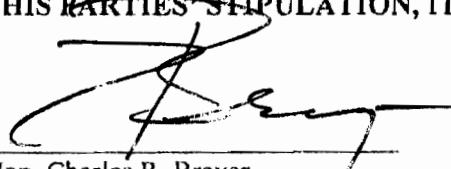
Dated: December 11, 2009

BY: *Abberger*

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DEFENDANTS' LIAISON COUNSEL

PURSUANT TO THE TERMS SET FORTH IN THIS ~~PARTIES'~~ STIPULATION, IT IS
SO ORDERED.

Dated: DEC 16 2009


Hon. Charles R. Breyer,
United States District Court